



EIB World Trade Headlines

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EXPORT REFORM PROPOSED CHANGES CAT XII

Revisions to the Export Administration Regulations (EAR): Control of Fire Control, Range Finder, Optical, and Guidance and Control Equipment the President Determines No Longer Warrant Control Under the United States Munitions List (USML)

**80 FR 25798
05/05/2015**

This proposed rule describes how articles the President determines no longer warrant control under Category XII (Fire Control, Range Finder, Optical and Guidance and Control Equipment) of the United States Munitions List (USML) of the International Traffic in Arms Regulations (ITAR) would be controlled under the Commerce Control List (CCL) by creating new "600 series" Export Control Classification Numbers (ECCN)s 6A615, 6B615 and 6D615 for military fire control, range finder, and optical items, by revising ECCN 7A611 and by creating new ECCNs 7B611, 7C611 and 7E611 for military optical and guidance items. In addition, for certain night vision items currently subject to the Export Administration Regulations (EAR), this rule proposes to expand the scope of control, eliminate the use of some license exceptions, and create new ECCNs for certain software and technology related to night vision items. This proposed rule would also expand the scope of end-use restrictions on certain exports and reexports of certain cameras, systems, or equipment and expand the scope of military commodities described in ECCN 0A919.

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Chinese Nationals Charged with Stealing Trade Secrets from Mass. Tech Company

On May 16, Tianjin University Professor [Hao Zhang](#) was arrested as he traveled into the United States from China in connection with a recent indictment in the Northern District of California.

According to the indictment, Chinese nationals [Wei Pang](#) and [Hao Zhang](#) met at a U.S. university in Southern California during their doctoral studies in electrical engineering. While there, Pang and Zhang conducted research and development on thin-film bulk acoustic resonator (FBAR) technology under funding from U.S. Defense Advanced Research Projects Agency. After earning their doctorates, Pang accepted employment as an FBAR engineer with [Avago Technologies](#) (Nasdaq: AVGO) and Zhang accepted a job as an FBAR engineer with Skyworks Solutions. The stolen trade secrets alleged in the indictment belong to Avago or Skyworks, according to the indictment.

Avago is a designer, developer and global supplier of FBAR technology, which is a specific type of radio frequency filter. Throughout Zhang's employment, Skyworks was also a designer and developer of FBAR technology. FBAR technology is primarily used to filter incoming and outgoing wireless signals in mobile devices like cellular telephones, tablets and GPS devices.

According to the indictment, in 2006 and 2007, the defendants prepared a business plan and sought opportunities to start manufacturing FBAR technology in China. Through efforts outlined in the indictment, Pang, Zhang and others established relationships with officials from Tianjin University, one of the oldest universities in China.

In 2008, officials from Tianjin University flew to San Jose, California, to meet with Pang, Zhang and others. Shortly thereafter, Tianjin University agreed to support Pang, Zhang and others in establishing an FBAR fabrication facility in China.

The indictment alleges that Pang, Zhang and other co-conspirators stole intellectual property marked as confidential and proprietary from the victim companies and shared the information with individuals working for Tianjin University.

According to the indictment, the stolen trade secrets enabled Tianjin University to construct and equip a state-of-the-art FBAR fabrication facility; to open their company, ROFS Microsystems; and to obtain contracts for providing FBARs to commercial and military entities.

Zhang has been charged with conspiracy to commit economic espionage, conspiracy to commit theft of trade secrets, economic espionage and theft of trade secrets.

Wassenaar Arrangement 2013 Plenary Agreements Implementation: Intrusion and Surveillance Items (proposed rule with Request for comments)

The Bureau of Industry and Security (BIS) proposes to implement the agreements by the Wassenaar Arrangement (WA) at the Plenary meeting in December 2013 with regard to systems, equipment or components specially designed for the generation, operation or delivery of, or communication with, intrusion software; software specially designed or modified for the development or production of such systems, equipment or components; software specially designed for the generation, operation or delivery of, or communication with, intrusion software; technology required for the development of intrusion software; Internet Protocol (IP) network communications surveillance systems or equipment and test, inspection, production equipment, specially designed components therefor, and development and production software and technology therefor. BIS proposes a license requirement for the export, reexport, or transfer (in-country) of these cybersecurity items to all destinations, except Canada. Although these cybersecurity capabilities were not previously designated for export control, many of these items have been controlled for their "information security" functionality, including encryption and cryptanalysis. This rule thus continues applicable Encryption Items (EI) registration and review requirements, while setting forth proposed license review policies and special submission requirements to address the new cybersecurity controls, including submission of a letter of explanation with regard to the technical capabilities of the cybersecurity items. BIS also proposes to add the definition of "intrusion software" to the definition section of the EAR pursuant to the WA 2013 agreements. **The comments are due [Monday, July 20, 2015](#).**

The Bureau of Industry and Security proposed rule is available May 19 for Public Inspection at:

<https://www.federalregister.gov/articles/2015/05/20/2015-11642/wassenaar-arrangement-plenary-agreements-implementation-intrusion-and-surveillance-items> .

Florida Man and Company Sentenced for Violating the International Emergency Economic Powers Act and U.S. Department of Commerce Denial Order

A Palm Beach County, Florida, man and company were sentenced for violating the International Emergency Economic Powers Act (IEEPA), as well as the terms of a denial order issued by the U.S. Department of Commerce.

The announcement was made by U.S. Attorney Wifredo A. Ferrer of the Southern District of Florida, Assistant Attorney General for National Security John P. Carlin, Special Agent in Charge John F. Khin Department of Defense's (DoD) Defense Criminal Investigative Service (DCIS), Special Agent in Charge Alysa Erichs of the U.S. Immigration and Customs Enforcement's Homeland Security Investigations (ICE-HSI) and Acting Special Agent in Charge Gordon Pomeroy of the U.S. Department of Commerce's Office of Export Enforcement.

Russell Henderson Marshall, 53, was sentenced by U.S. District Judge Kenneth A. Marra of the Southern District of Florida to serve 41 months in prison and will be removed from the United States upon the completion of his sentence. In imposing the sentence, Judge Marra found that the order denying export privileges issued by the Department of Commerce constituted a national security control, which subjected Marshall to an enhanced sentence. Universal Industries Limited Inc. was sentenced to a term of one year probation and a special assessment of \$400 upon a finding that the corporation is currently listed as inactive by the Florida Division of Corporations as a result of Marshall's arrest.

Marshall and his company Universal Industries Limited Inc. were previously convicted in a 2011 case in the Southern District of Florida for violating the Arms Export Control Act, after which the Department of Commerce issued a denial order prohibiting Universal Industries Limited Inc. and its owners, agents and employees from participating in any transaction involving the export of any item subject to the Department of Commerce's Export Administration Regulations (EAR). Marshall and Universal Industries Limited Inc. violated IEEPA and the U.S. Department of Commerce's denial order by attempting to send three temperature transmitters used on F-16 fighter jets and a saddle part for the J-69 engine used on 737 military trainer aircraft to Thailand and Pakistan, respectively.

"National security controls exist to ensure that sensitive U.S. technologies are protected," said U.S. Attorney Ferrer. "Zero tolerance will be afforded individuals who knowingly continue to violate our export control laws and jeopardize the nation's security."

"By repeatedly taking actions that violated export control laws and an order issued by the Department of Commerce, Marshall and Universal Industries Limited Inc. actively engaged in efforts that threatened our national security," said Assistant Attorney General Carlin. "This sentencing serves as another reminder that we will not tolerate this activity. Protecting our national assets, including highly sensitive technologies, from falling into the hands of those who may wish to do us harm is one of our top national security priorities. The National Security Division commends the law enforcement agents, analysts, and prosecutors who took part ensuring justice was served."

"Today's sentencing demonstrates the continued commitment of the Defense Criminal Investigative Service and partner agencies to protect sensitive U.S. defense technology from being illegally exported," said Special Agent in Charge Khin. "American military prowess depends on lawful, controlled exports of sensitive technology by U.S. industries, which is why DCIS will continue its present campaign to aggressively investigate and prosecute criminal violations regarding the illegal procurement or export of sensitive technology."

"One of Homeland Security Investigation's top enforcement priorities is preventing the exportation of U.S. military products and sensitive technology, and preventing those technologies and weaponry from falling into the hands of those who might seek to harm America or its interests," said Special Agent in Charge Erichs. "Technology used by the United States and its allies give us a strategic military advantage, which is why HSI will continue to work with its law enforcement partners to ensure such technology doesn't fall into the hands of those opposed to U.S. national security interests."

"The Office of Export Enforcement is committed to working with our law enforcement partners to pursue individuals who violate our nation's export control laws," said Acting Special Agent in Charge Pomeroy. "As the sentence in this case demonstrates, we will not allow our national security to be compromised by individuals who intentionally violate these laws."

According to court documents and information presented during the sentencing hearing, the DoD Inspector General received a hotline complaint concerning Marshall and Universal Industries Limited Inc. in November 2012. The subsequent investigation revealed that the defendants brokered the sale of military aircraft parts which were subject to license controls by the Department of Commerce, and which the defendants knew were intended to be illegally exported to Thailand and Pakistan.

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On Feb. 6, 2015, Marshall and Universal Industries Limited Inc. entered guilty pleas to an information that charged them with knowingly and willfully engaging in negotiations concerning selling, delivering or otherwise servicing a transaction involving an item to be exported from the United States to Thailand and subject to the EAR.

U.S. Attorney Ferrer joins Assistant Attorney General Carlin in commending the investigative efforts of the DoD, DCIS, ICE-HSI and the U.S. Department of Commerce's Office of Export Enforcement for their outstanding efforts in investigating this matter. The case was prosecuted by Assistant U.S. Attorney Michael Walleisa of the Southern District of Florida. A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at www.justice.gov/usao-sdfl. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at www.flsd.uscourts.gov or on <http://pacer.flsd.uscourts.gov>

U.S. Approves Ferry Service Between Florida and Cuba

A Cuban fisherman watches as a training sailing ship enters the port of Havana in July 2014.

Despite the occasional quarrel, the U.S.-Cuba détente is [picking up steam](#), and on Tuesday the Obama administration [approved](#) a ferry service between the two countries. The Treasury Department [signed off on multiple bids](#) to provide a ferry service between Florida and Cuba for the first time since the early 1960s, when the U.S. imposed a trade embargo on the Castro regime following Fidel Castro's rise to power during the Cuban Revolution.

The ferry routes could open up trade and travel, however Americans are still [barred from traveling to Cuba for tourism](#) under the terms of the decades-old trade embargo that needs Congressional approval to be removed. Cuba must also approve the ferry operation. Fares for the 90-mile journey are still yet to be determined, but one ferry operator [told the Sun-Sentinel](#) the aim was to charge passengers somewhere between \$300 and \$350 roundtrip, slightly less than the \$400 or \$500 it costs for a charter flight ticket to Cuba.

Senate Democrats vote to block Obama on trade

President Obama's fellow Democrats derailed one of his major second-term priorities Tuesday, voting to hold up consideration of "fast track" trade authority unless related measures are guaranteed to proceed alongside it.

The trade legislation failed an afternoon test vote, 52 to 45. Sixty votes were needed to begin formal debate of measures that would pave the way for approval of a complex Pacific trade accord and provide relief to unemployed workers affected by trade deals.

Ahead of the vote, many Democrats — including some of the handful who have supported Obama's trade push — said they were not inclined to move forward with debate unless Republican leaders provided assurances that the various pieces would move in tandem.

[How Obama could face a filibuster from his own party on trade]

About an hour before the vote, that included Sen. Ron Wyden (D-Ore.), who negotiated the trade package with top Republicans in the House and Senate and who has been a rare ally of Obama's trade agenda inside the president's party.

"Until there is a path to get all four bills passed," Wyden said after a lunchtime meeting with fellow pro-trade Democrats, "we will — certainly most of us — have to vote no."

Majority Leader Mitch McConnell (R-Ky.) said Tuesday that Republicans were willing to attach "trade adjustment assistance" — that is, funding authority for worker assistance programs — to the fast-track bill. But he made no pledge to include a trade enforcement bill — which would, among other things, take aim at Chinese currency manipulation and is opposed by the administration — or a fourth bill concerning trade with Africa.

McConnell said those provisions could be attached by amendment to the bills under consideration. "This is a vote to begin a process," he said on the Senate floor. "This is a vote to begin a debate on a broad trade agenda."

[Clinton hedge on trade leaves Obama without political cover in Warren feud]

Sen. Sherrod Brown (D-Ohio), one of the Senate's fiercest opponents on trade, said late Monday that the vote to proceed would fail unless Republicans made a more solid commitment to take up the related bills.

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“It’s a betrayal of workers and small business in our communities to pass fast track, to put it on the president’s desk without enforcement . . . and without helping workers,” Brown said. “It’s a betrayal of what we should be standing for.”

But Sen. Orrin G. Hatch (R-Utah), chairman of the Senate Finance Committee, said Monday that there was “no compromise that can be reached that is going to link all four bills together.”

“That isn’t going to happen,” he said. “If that happens, it’s over.”

Hatch, who negotiated with Wyden, the committee’s top Democrat, for months over the trade legislation, betrayed some frustration at the Democratic demands.

“We think we can come up with a way of doing this,” he said. “I’ve been disappointed with some of the approaches that have been taken over the last weekend, but we’ll iron that all out, I hope.”

At the White House, press secretary Josh Earnest played down reports about the struggles of the fast-track legislation as merely a “procedural snafu” — a phrase he repeated about a dozen times — that could be worked out in the coming days. Earnest said the trade legislation remains a top priority for Obama and pledged that White House aides would continue to lobby lawmakers.

Sen. John Cornyn (R-Tex.), the majority whip, said the expected vote was a “failure of the president’s ability to convince members of his own party” and urged Obama to do more to convince wavering Senate Democrats.

Earnest said, “I would withhold judgment about the president’s persuasion abilities until we’ve had a chance to advance this legislation through.”

McConnell was the only Republican to vote against proceeding, a tactical move giving him the ability to quickly hold another vote later if circumstances change. Cornyn was among several Republicans who put new pressure on the White House to do more to bring Democratic senators on board with the president’s agenda.



Top 10 Ins & Outs of Shipping Lithium Batteries

April 2014 showed that the current practices for transporting lithium batteries on airplanes are not as safe as they could be. The test demonstrated how adding a cartridge heater, equivalent to a single overheated battery, to a shipment of lithium batteries would cause a chain reaction of heated batteries that would lead to a massive explosion caused by flammable gas buildup.

However, it was thought a gas fire suppressant, [Halon 1301](#), in the cargo compartment could control the lithium battery fire. A second FAA test performed in September 2014 proved otherwise — the fire suppressant was ineffective against a lithium metal battery fire. It is a priority, therefore, to know exactly how to minimize the risk of such an accident.

Here are 10 practices to keep in mind when shipping lithium batteries:

- **Limits:** Under the [Department of Transportation \(DOT\)](#) and [International Air Transport Association \(IATA\)](#), the maximum weight of all individual shipments in cargo aircraft is 35 kg. This applies to both lithium ion and lithium metal batteries.

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- **Inner Packaging:** The DOT requires that all batteries be separated with inner packaging to prevent batteries from coming in contact with each other and causing a short circuit. The inner packaging must be non-conductive (such as blister packs or cardboard dividers). Batteries cannot be loose or packed with other metal objects. The [International Air Transport Association](#) (IATA) enforces these inner packaging rules and recommends cushioning, as well as packing tightly to minimize movement.
- **Outer Packaging:** All batteries, once separated by inner packaging, must be enclosed in outer packaging. The DOT states that the outer packaging must be waterproof. Medium-sized (such as computer or audio/visual equipment batteries) and large-sized batteries (which have over 300 Watt-hours of power) have to either be in strong outer packaging or be contained in equipment. With IATA, the outer packaging must be a metal, plastic, or plywood drum or a metal, plastic, or wooden box.
- **Defective/Damaged/Recalled:** According to the IATA, batteries deemed unsafe for transport by the manufacturer must not be transported internationally. In the U.S., damaged, defective, and recalled batteries must be packaged in combination packages surrounded by non-conductive cushioning. They can only be transported by ocean, road, or rail.
- **Documentation:** The IATA requires that shipments come with documentation stating the battery-type. They should include "Handle with care" notes, steps to be taken if the package is damaged and contact information. The DOT requires that small lithium battery packages also have specifications regarding the battery type and what steps to take if the package is damaged. Hazardous materials shipping papers should accompany medium- to large-sized packages. When shipped by air, these packages will require shipping papers, emergency contact information, pilot-in-command notification, and proper packaging as described above.
- **Labeling:** All medium and large shipments, when shipped domestically, must be marked and labeled in accordance with HMR as Class 9. The IATA states that all shipments containing a combination of lithium batteries in and with equipment must be marked "U.N. 3091 Lithium metal batteries packed with equipment," or "U.N. 3481 Lithium ion batteries packed with equipment."

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- **Research Airline Rules:** To date, Delta Air Lines, Air France, and United Airlines are no longer carrying bulk shipments of lithium-ion batteries unless they are packed in the same package as the equipment. Additionally, American Airlines does not accept some types of lithium-ion battery bulk shipments, but it does accept small packages of batteries enclosed in a single cargo container.
- **Compliance:** Voluntary compliance to these rules took place Aug. 6, 2014, upon publication of the final rule. Mandatory compliance for aircraft became effective six months later Feb. 6, 2015. For all other forms of transportation, the compliance date was delayed to Aug. 6, 2015.
- **Aged Batteries:** Lithium batteries designated for disposal or destruction cannot be shipped by air without approval from the relevant authorities.
- **When in Doubt, Delay:** The regulations are complicated, and the risks are too high to take a chance, so it is always best to delay if in doubt.

Guidance on Due Diligence to Prevent Unauthorized Transshipment/Reexport of Controlled Items to Russia

In consideration of the ongoing situation in Crimea, BIS has imposed export restrictions targeted at Russia's energy and defense sectors. For example, in August 2014, BIS implemented restrictions on exports of certain items destined for Russian deep water, Arctic offshore, or shale energy exploration or production. See: 79 FR 45675 (August 6, 2014)

USE THIS LINK for more info and to access links below:
<http://www.bis.doc.gov/index.php/compliance-a-training/export-management-a-compliance/russia-due-diligence-guidance>

<http://www.gpo.gov/fdsys/pkg/FR-2014-08-06/pdf/2014-18579.pdf>). Subsequently, BIS expanded its military end use and end user controls to impose a license requirement on various items that may not otherwise require a license if the exporter has knowledge that such items may be used by military end users or for military end uses in Russia. See: 79 FR 55608 (September 17, 2014)

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(<http://www.gpo.gov/fdsys/pkg/FR-2014-09-17/pdf/2014-22207.pdf>). In addition, BIS has expanded controls on certain microprocessors for military end uses and end users in Russia (as well as other D:1 countries). See 79 FR 75044 (December 17, 2014) (<http://www.gpo.gov/fdsys/pkg/FR-2014-12-17/pdf/2014-29450.pdf>).

BIS remains concerned about efforts by front companies and other intermediaries, who are not the true final end users, to transship or reexport U.S.-origin items to the Russian Federation in violation of these measures and other export controls. Even prior to the imposition of restrictions based on the situation in Crimea, front companies and other intermediaries obtained U.S.-origin items that may require a license to Russia through intermediate countries subject to a more favorable licensing policy under the Export Administration Regulations (EAR). A salient example is Wassenaar Arrangement dual-use items controlled under the EAR for National Security (NS) reasons.

Therefore, BIS is providing additional guidance to U.S. exporters to prevent unauthorized reexports to Russia, especially for transactions involving NS-controlled items or items listed in Supplement No. 2 to Part 744 of the EAR, which lists items that are subject to the military end use license requirement. As described in Supplement No. 3 to Part 732 of the EAR, whenever a person who is clearly not going to be using the item for its intended end use (e.g., a freight forwarder) is listed as an export item's final destination, the exporter has an affirmative duty to inquire about the end use, end user, and ultimate destination of the item to ensure the transaction complies with the EAR. In addition, the exporter should pay attention to any information that may indicate an unlawful diversion is planned. This may include discrepancies in the destination country and the country from which an order is placed or payment is made.

When inquiring into the ultimate destination of the item, an exporter should consider e-mail address and telephone number country codes and languages used in communications from customers or on a customer's website. The exporter should also research the intermediate and ultimate consignees and purchaser, as well as their addresses, using business registers, company profiles, websites, and other resources.

Exporters should always screen their customers against the U.S. Government's consolidated export screening list (http://export.gov/ecr/eg_main_023148.asp). An interactive tool for searching this list based on entity name and address is also available (<http://internationaltradeadministration.github.io/explorer/#/consolidated-screening-list-entries>).

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Furthermore, exporters should pay attention to the countries a freight forwarder serves, as well as the industry sectors a distributor or other non-end user customer supplies. The exporter should then determine whether a license is required based on the likely country of ultimate destination and end use and end user. The exporter should consider not only the list-based license requirements specified in Supplement No. 1 to Part 738 of the EAR (the Commerce Country Chart) in conjunction with item's classification specified in Supplement No. 1 to Part 774 of the EAR (the Commerce Control List), but also the end use and end user controls in Part 744 and the embargoes and special controls in Part 746. If the exporter continues to have any doubts or concerns surrounding the end use, end user, or country of ultimate destination after exercising due diligence, the exporter should present all relevant information to BIS in the form of a license application or refrain from the transaction.

Export controls are a shared responsibility between government and industry. If you have any concerns about suspicious inquiries that come to your firm, you are encouraged to contact your local BIS Export Enforcement Office

(<https://www.bis.doc.gov/index.php/enforcement/oeef/investigations#OEEFieldOffice>) or use BIS's online tip form (<https://www.bis.doc.gov/index.php/component/rsform/form/14-reporting-violations-form?task=forms.edit>).



Export Control Reform Teleconference May 20 - Intrusion and Surveillance Items Proposed Rule (Cyber Rule) for Implementation of the Wassenaar Arrangement 2013 Plenary Agreements

The Department of Commerce is publishing in the *Federal Register* a proposed rule to revise the Export Administration Regulations (EAR) to implement the Wassenaar Arrangement 2013 Plenary Agreements on intrusion and surveillance items (the Cyber Rule). On May 20, BIS officials will provide an overview of the Commerce proposed rule in a special ECR teleconference at 2:30 p.m. Eastern Time. If you have questions on the Commerce proposed rule, you may send them to

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ecrweekly@bis.doc.gov and the BIS staff will address your questions to assist you as you review the proposed rule and draft your comments on the proposed rule.

To hear the teleconference, please call [1-888-455-8218](tel:1-888-455-8218) and use passcode 6514196. If you are calling in from overseas the number is [1-212-547-0330](tel:1-212-547-0330).

You may view the Federal Register notice at:

www.federalregister.gov .

The Bureau of Industry and Security proposed rule is available May 19 for Public Inspection at:

<https://www.federalregister.gov/articles/2015/05/20/2015-11642/wassenaar-arrangement-plenary-agreements-implementation-intrusion-and-surveillance-items> .

BOLINGBROOK MAN SENTENCED TO 24 MONTHS FOR ATTEMPTING TO ILLEGALLY EXPORT THERMAL IMAGING CAMERA TO PAKISTAN

CHICAGO — A Bolingbrook man was sentenced today to 24 months in federal prison for violating U.S. export laws by attempting to ship a thermal imaging camera from his company in Schaumburg to a company in Pakistan without obtaining a license from the U.S. Commerce Department, federal law enforcement officials announced today. The defendant, Bilal Ahmed, 34, of Bolingbrook, Illinois, was also ordered to complete a term of two years of supervision after his release by U.S. District Judge Rebecca R. Pallmeyer. Ahmed was ordered to report to the Federal Bureau of Prisons on July 17, 2015. Ahmed pled guilty to one count of willfully violating export control regulations, specifically the International Emergency Economic Powers Act, between June 2009 and March 2014. Ahmed was the owner, president, and registered agent of Trexim Corporation, an Illinois corporation based in Schaumburg, which was in the business of purchasing items for export from the United States. The defendant was regularly involved in the negotiation, purchase, and export of materials from United States manufacturers to overseas locations, including Pakistan.

ITAR Destination Control Statement

Everyone should be using this statement on the commercial invoice and bills of lading for all ITAR exports:

§123.9 Country of ultimate destination and approval of reexports or retransfers.

b) The exporter, U.S. or foreign, must inform the end-user and all consignees that the defense articles being exported are subject to U.S. export laws and regulations as follows:

(1) The exporter, U.S. or foreign, must incorporate the following statement as an integral part of the bill of lading, air waybill, or other shipping document, and the purchase documentation or invoice whenever defense articles are to be exported, retransferred, or reexported pursuant to a license or other approval under this subchapter: **“These commodities are authorized by the U.S. Government for export only to [country of ultimate destination] for use by [end-user] under [license or other approval number or exemption citation].** They may not be resold, diverted, transferred, or otherwise be disposed of, to any other country or to any person other than the authorized end-user or consignee(s), either in their original form or after being incorporated into other end-items, without first obtaining approval from the U.S. Department of State or use of an applicable exemption.”;

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